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electrode layers of the device of] a potential difference of between 0.2 [to] and 1.4
volts to the variable transmittance component.

- Claim 17, line 4, please replace “the potential” with --a potential--.
- Claim 20, line 4, please replace “the potential” with --a potential--.
- Claim 22, line 4, please replace “the potential” with --a potential--.
- ✓ Please cancel claim 23.

REMARKS

The present application contains claims 11-22; claim 23 has been cancelled in order to expedite the prosecution of the present application.

In accordance with the Examiner's suggestion, Applicants have checked the specification and have corrected various minor typographical errors. Applicants note that cancelled claims 1-10 are not the original claims of the parent application and appreciate the Examiner's careful review of the application.

Claims 11-22 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection for the reasons set forth below.

Although it is respectfully submitted that there is antecedent basis for “the potential difference applied” since the claim recites the relationship between the continuously variable transmittance over a range of transmittance as a function of the potential difference applied, in order to expedite the prosecution of the applications, Applicants have amended claims 11, 17, 20 and 22 to recite --a potential-- rather than “the potential”.

Regarding claim 15, applicants have amended line 2 to provide antecedent basis for the continuously variable transmittance component. Regarding claim 16, applicants believe the rejection has been overcome with the changes made to the claim.

Applicants believe the Section 112 rejections have been overcome; reconsideration and removal of the rejection are respectfully requested.

Claims 11-23 were rejected under the judicially created doctrine of double patenting over claims 1-31 of U.S. Patent No. 5,128,799. Claim 23 has been cancelled in order to expedite the case to issuance, and in view of the enclosed terminal disclaimer, this rejection is respectfully deemed obviated with respect to claims 11-22. Reconsideration and removal of this rejection are respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that pending claims 11-22 are in condition for allowance and applicant respectfully requests that the application with those claims be promptly passed to issue.

Respectfully requested,
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